

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

WALTER WREN WYATT, III	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL CASE NO.:1:07-cv-0326-MHT
	)	
MORTGAGE ELECTRONICS	)	
REGISTRATION SYSTEMS, INC.; R. JAMES)	)	
NICHOLSON, Secretary of Veterans Affairs,	)	
et. al.,	)	
	)	
Defendants.	)	

**REPORT OF PARTIES' PLANNING MEETING**

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the following attorneys have conferred regarding proposed deadlines in this case and submit the following joint report:

R. Randolph Neeley  
Attorney for Defendant, James R. Nicholson, Secretary of Department of Veterans Affairs

Louis M. Calligas  
Attorney for Defendant, Mortgage Electronics Registration Systems, Inc.

Richard W. Whittaker  
Attorney for Defendants, Joshua and Natalie Mellor

John L. McClung  
Attorney for Plaintiff, Walter Wren Wyatt, III

**I. Pre-Discovery Disclosures:** The parties shall exchange the information required by Rule 26(a)(1) within 21 days of the entry of the Court's scheduling order.

**II. Discovery Plan:** The parties jointly propose the following discovery plan.

(1) All discovery commenced in time to be completed by April 15, 2008,

- (2) Maximum of 10 depositions for each party, with a maximum time limit of 7 hours per deposition, unless extended by agreement of the parties. Each party is entitled to a deposition of each designated expert, not to exceed 7 hours per deposition.
- (3) Maximum of 40 Interrogatories by each party, with responses due within thirty (30) days after service.
- (4) Maximum of 20 Requests for Admissions by each party, with responses due thirty (30) days after service.
- (5) Maximum of 25 Requests for Production by each party, with responses due within thirty (30) days after service.
- (6) Supplements under Federal Rule of Civil Procedure 26(e) are due thirty (30) days before the close of discovery.

### **III. Other Items**

- (1) The parties do not request a conference with the Court before entry of the scheduling Order.
- (2) Reports from retained experts under Federal Rule of Civil Procedure 26(a)(2) are due from the Plaintiff by **January 5, 2008**. Reports from retained experts from the Defendants are due by **February 15, 2008**.
- (3) The parties request a pretrial conference in **May 2008**.
- (4) All potentially dispositive motions should be filed by **February 15, 2008**.
- (5) Any motions to amend the pleadings or to join additional parties should be filed within ninety (90) days of the entry of the Court's scheduling order.
- (6) Settlement and mediation cannot realistically be evaluated until the parties conduct further discovery.
- (7) Final list of trial witnesses and exhibits under Federal Rule of Civil Procedure 26(a)(3) must be served and filed:

A. By the Plaintiff: 30 days before trial; and

B. By the Defendants: 30 days before trial.

(8) Objections are to be filed within fifteen (15) days after receipt of final list.

(9) This case should be ready for the **July 14, 2008** trial term.

(10) This case is expected to last 2 days.

I hereby certify that all parties agree that the foregoing be submitted electronically to the Clerk of the Court by Defendant on this 17<sup>th</sup> day of May, 2007.

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United States Attorney

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